

05-21-03

1615  
RECEIVED  
MAY 28 2003  
TECH CENTER 4600/2906

EXPRESS MAIL CERTIFICATE

Date 5/19/03 Label No. Ev 349691171-45

I hereby certify that, on the date indicated above, this paper or fee was deposited with the U.S. Postal Service & that it was addressed for delivery to the Assistant Commissioner for Patents, Washington, DC 20231 by "Express Mail Post Office to Addressee" service.

PLEASE CHARGE ANY DEFICIENCY UP TO \$300.00  
CREDIT ANY EXCESS IN THE FEES DUE WITH THIS  
DOCUMENT TO OUR DEPOSIT ACCOUNT NO. 04-0100

B.W. LEE B.W. Lee  
Name (Print) Signature

Customer No.:



Docket No.: 3671/OK437

07278

PATENT TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Armin PRASCH and Bernhard LUY

Serial No.: 10/089,663

Confirmation No.: 6944

Filed: July 10, 2002

For: BIODEGRADABLE EXCIPIENT SYSTEMS FOR THERAPEUTICALLY  
ACTIVE SUBSTANCES AND METHOD FOR PRODUCING THE SAME

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In order to comply with 37 CFR 1.97 and 1.98, attached hereto is a  
copy of Form PTO-1449 and copies of the documents listed thereon.

In accordance with MPEP Sections 609 and 707.05(b), it is requested that each document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing Form PTO-1449 next to the document. Such initialing is requested even if ~~the Examiner does not consider a cited document to be sufficiently pertinent to use~~ in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

The undersigned is also enclosing herewith English translations of the pertinent parts of each of the foreign language documents identified in Form PTO-1449. It is believed that the applicant in the above-identified patent application has therefore met the "concise explanation" requirement of 37 C.F.R. 1.98.

This submission is filed before a first action on the merits has been mailed.

The present Information Disclosure Statement is being submitted in compliance with 37 CFR 1.56, but the citation of such document is not to be construed as an admission that such document is necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a

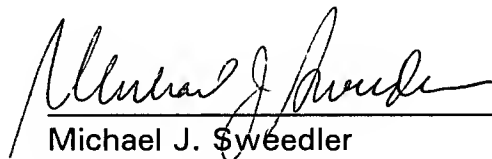
complete search, and it is anticipated that the Examiner, in the normal course of examination, will make an independent search and will determine the best prior art consistent with 37 CFR 1.104(a) and 1.106(b) and, in the course of each search, will review for relevance every document cited on the attached form even if not initialed.

~~It is believed that no fee is due. However, if the Commissioner~~  
determines that a fee is due, the Commissioner is hereby authorized to charge the above deposit account for any deficiency.

Early and favorable consideration is earnestly solicited.

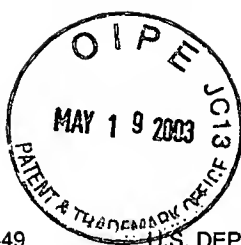
Respectfully submitted,

Dated: May 19, 2003



Michael J. Sweedler  
Registration No. 19,937  
Attorney for Applicant(s)

DARBY & DARBY  
Post Office Box 5257  
New York, NY 10150-5257  
(212) 527-7700



FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE PATENT &amp; TRADEMARK OFFICE

SHEET 1 OF 1  
(REV. 7-80)RECEIVED  
MAY 23 2003  
TECH CENTER 1600/2900**LIST OF REFERENCES CITED BY APPLICANT**

(Use Several Sheets if Necessary)

DOCKET NO.: 3671/OK437 SERIAL NO: 10/089,663  
APPLICANT: Armin PRASCH et al. FILING DATE: July 10, 2002  
CONFIRMATION NO: 6944

**U.S. PATENT DOCUMENTS**

<u>EXAMINER</u> <u>INITIALS</u>	<u>DOCUMENT</u> <u>NUMBER</u>	<u>DATE</u>	<u>NAME</u>	<u>CLASS</u>	<u>SUBCLASS</u>	<u>FILING DATE</u>
------------------------------------	----------------------------------	-------------	-------------	--------------	-----------------	--------------------

**FOREIGN PATENT DOCUMENTS**

<u>EXAMINER</u> <u>INITIALS</u>	<u>DOCUMENT</u> <u>NUMBER</u>	<u>DATE</u>	<u>COUNTRY</u>	<u>CLASS</u>	<u>SUBCLASS</u>	<u>TRANSLATION</u> <u>YES</u> <u>NO</u>
	1. 0 166 263	01/02/86	EP	A61L	27/00	
	2. 35 17 456	11/20/86	DE	A61L	27/00	X (Pertinent Parts)
	3. 00/24436	05/04/00	WO	A61L	24/10	X (Pertinent Parts)
	4. 00/38752	07/06/00	WO	A61L	24/10	X (Pertinent Parts)

**OTHER REFERENCES****(INCLUDING AUTHOR, TITLE DATE, PERTINENT PAGES, ETC.)**EXAMINER  
INITIALSEXAMINER: \_\_\_\_\_ DATE CONSIDERED: \_\_\_\_\_

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.